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Notice of Allowability

| Application No. | Applicant(s) KLEINSASSER, JONATHAN | | | |
|-----------------|-------------------------------------|--|--|--|
| 10/766,326 | | | | |
| Examiner | Art Unit | | | |
| Bret C Hayes | 3644 | | | |

| | Nouce of Anowability | Examiner | * | Art Unit | | | |
|---|---|---|--|---|---------------------------|--|--|
| | | Bret C Hayes | `\ | 3644 | | | |
| All claims being herewith (or pre NOTICE OF AL | The MAILING DATE of this communication appear allowable, PROSECUTION ON THE MERITS IS evicusly mailed), a Notice of Allowance (PTOL-85). LOWABILITY IS NOT A GRANT OF PATENT RIUpon petition by the applicant. See 37 CFR 1.313 | (OR REMAINS) CL or other appropriat GHTS. This applic | OSED in this app e communication | olication. If not include will be mailed in due | ed course. THIS | | |
| 1. This con | nmunication is responsive to the Amendment filed | <u>23 NOV 04</u> . | | | | | |
| 2. X The allow | wed claim(s) is/are <u>1-16 and 23</u> . | | | | | | |
| 3. X The draw | wings filed on 29 January 2004 are accepted by the | e Examiner. | | | | | |
| 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some* c) None of the: Certified copies of the priority documents have been received. Certified copies of the priority documents have been received in Application No. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. | | | | | | | |
| | TITUTE OATH OR DECLARATION must be subm IAL PATENT APPLICATION (PTO-152) which give | | | | IOTICE OF | | |
| 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. | | | | | | | |
| Notice of Information Paper No | References Cited (PTO-892) Draftperson's Patent Drawing Review (PTO-948) on Disclosure Statements (PTO-1449 or PTO/SB/0 o./Mail Date 's Comment Regarding Requirement for Deposit al Material | 6. | erview Summary aper No./Mail Dat aminer's Amendn | e | · | | |

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DETAILED ACTION

Allowable Subject Matter

- 1. Claims 1 16 and 23 are allowed.
- 2. The following is an examiner's statement of reasons for allowance: the prior art of record discloses the invention as described in the office action dated 02 NOV 04. However, the prior art of record neither discloses nor fairly teaches the combination including a gate assembly movable from a first closed position to a second open position, and a control unit arranged to actuate a drive mechanism for applying a tattoo and to further actuate movement of the gate assembly between the first and second positions.
- 3. This statement is not intended to necessarily state all the reasons for allowance or all the details why the claims are allowed and has not been written to specifically or impliedly state that all the reasons for allowance are set forth (MPEP 1302.14).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

Any inquiry concerning this communication should be directed to Bret Hayes at telephone number (703) 306 - 0553. The examiner can normally be reached Monday through Friday from 5:30 am to 3:00 pm, Eastern Standard Time.

If attempts to contact the examiner by telephone are unsuccessful, the examiner's supervisor, Teri Luu, can be reached at (703) 305 – 7421. The fax number is (703) 872 – 9306.

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2/7/05

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